

## Robins Kaplan LLP Represents South Dakota Tribes in Legal Battle Against Opioid Industry

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Sioux Falls, SD—January 9, 2018—National trial firm Robins Kaplan LLP<sup>®</sup> announced today that it has filed a lawsuit on behalf of three American Indian Tribes against major manufacturers and distributors of opioids, alleging devastating public-health effects on Tribal communities. The Rosebud Sioux Tribe, Flandreau Santee Sioux Tribe, and the Sisseton Wahpeton Oyate have sued 24 opioid-industry defendants in the action, which seeks both damages and injunctive relief.

The Robins Kaplan legal team includes Brendan Johnson, former United States Attorney for South Dakota, and Tim Purdon, former United States Attorney for North Dakota. “The effect of opioids on South Dakota Tribes has been horrific,” said Johnson. “This epidemic has overwhelmed our public-health and law-enforcement services, drained resources for addiction therapy, and sent the cost of caring for children of opioid-addicted parents skyrocketing. This is a crisis that affects virtually every Tribal member in the state.”

The 102-page complaint filed in federal court today accuses the defendants of allegedly marketing prescription opioids in a manner that fraudulently concealed and minimized their addiction risk, and failing to comply with federal prescription drug laws intended to prevent the diversion of prescription opioids and prevent their abuse. It seeks relief for the defendants’ alleged violation of federal RICO laws, deceptive trade practices, and fraudulent and negligent conduct.

The complaint notes that American Indians suffer the highest per capita rate of opioid overdoses and that the CDC reports that one in 10 American Indian youths age 12 or older used prescription opioids for non-medical purposes in 2012, double the rate for white youth.

“The prescription opioid crisis has hit Indian Country hard. At Robins Kaplan, our American Indian Law and Policy Group and our Mass Tort lawyers have come together to make sure the Tribes we represent will be part of the fight to address this national epidemic,” added Purdon.

Johnson and Purdon serve as co-chairs of Robins Kaplan’s American Indian Law and Policy Group. Tara Sutton, chair of the firm’s Mass Tort Group and a member of its Executive Board, is also representing the plaintiffs. Sutton served as trial counsel in Robins Kaplan’s landmark lawsuit that transformed the tobacco

industry. The case that Robins Kaplan filed on behalf of Minnesota became the first state tobacco lawsuit to go to trial; it settled after trial for \$6.6 billion.

Defendants in the case include pharmaceutical manufacturers Purdue Pharma L.P., Teva Pharmaceutical Industries Ltd., and Allergan PLC, and pharmaceutical distributors McKesson Corp., Cardinal Health Inc., and AmerisourceBergen Corp. The complaint against them was filed in the United States District Court for the District of South Dakota.

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